

रजिस्ट्रं नं० पी०/एस० एम० 14.



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बोरवार 17 मई, 1984/27 वैशाख, 1906

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचना

शिमला-2, 17 मई, 1984

संख्या एल० एल० आर०-डी०(6) 11/4.—हिमाचल प्रदेश शड्यूल कास्ट्स डिवैलपमेंट (अमैन्डमेंट) विधेयक, 1984 (1984 का विधेयक संख्यांक 6) जैसा कि राज्यपाल द्वारा "भारत के संविधान" के अनुच्छेद के अन्तर्गत

दिनांक 9-5-1984 को स्वीकृत किया गया, को सधसधारण को जानकारी के लिए राजपत्र, हिमाचल प्रदेश में 1984 का अधिनियम संख्यांक 8 के रूप में प्रकाशित किया जाता है।

वेद प्रकाश भटनागर/
सचिव (विधि)

Act No. 8 of 1984.

THE HIMACHAL PRADESH SCHEDULED CASTES DEVELOPMENT CORPORATION (AMENDMENT) ACT, 1984

AN

ACT

further to amend the Himachal Pradesh Scheduled Castes Development Corporation Act, 1979 (Act No. 20 of 1979).

BE it enacted by the Legislative Assembly of the Himachal Pradesh in the Thirty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh Scheduled Castes Development Corporation (Amendment) Act, 1984.

Short title and commencement.

(2) It shall come into force at once.

2. After the word "Castes" but before the word "Development" occurring in the long title, preamble and section 1 of the Himachal Pradesh Scheduled Castes Development Corporation Act, 1979 (hereinafter called the principal Act), the words "and Scheduled Tribes" shall be inserted.

Amendment of long title, preamble and section I.

3. In section 2 of the principal Act,—

Amendment of section 2.

(i) for clause (d) the following clause (d) shall be substituted, namely:—

“(d) ‘Chairman’ means the Chairman of the Corporation;”;

(ii) after clause (d) so amended, the following new clause (dd) shall be inserted, namely:—

“(dd) ‘Collector’ means the Collector of the District and includes any other officer, not below the rank of the Assistant Collector of the 1st Grade, empowered by the State Government to discharge the functions of the Collector for the purposes of this Act;”;

(iii) after the word “Castes” but before the word “Development” occurring in clause (e), the words “and Scheduled Tribes” shall be inserted;

(iv) the words “and the vice-chairman” occurring in clause (f) shall be omitted;

(v) after clause (k) the following new clause (kk) shall be inserted, namely:—

“(kk) ‘schedule’ means the schedule appended to this Act;”;

(vi) for clause (m), the following clause (m) shall be substituted, namely:—

“(m) ‘scheduled castes organisation’ or ‘scheduled tribes organisation’ means a firm registered under the Partnership Act, 1932, an association registered under the Societies Registration Act, 1860, or a co-operative society registered under the Himachal Pradesh Co-operative Societies Act, 1968, in

20 of 1979

9 of 1932
21 of 1860
3 of 1969

which not less than fifty-one per cent of the paid up capita is held by the members of the scheduled castes, or as the case may be by the members of the scheduled tribes;"; and

(vii) after clause (m) so amended, the following new clause (mm) shall be inserted, namely:—

“(mm) ‘scheduled tribes’ shall have the same meaning as assigned to it in Clause (25) of Article 366 of the Constitution of India;”.

Amendment
of heading
of Chapter-
II.

4. In the headline of Chapter II of the principal Act, after the word “CASTES” but before the word “DEVELOPMENT” the words “AND SCHEDULED TRIBES” shall be inserted.

Amendment
of section 3.

5. In the principal Act for the words “Scheduled Castes Development Corporation” occurring in section 3, and in its heading, the words “Scheduled Castes and Scheduled Tribes Development Corporation” shall be substituted.

Amendment
of section 5.

6. In section 5 of the principal Act, for the words “five crores” wherever these occur, the words “ten crores” shall be substituted.

Amendment
of section 6.

7. In sub-section (2) of section 6 of the principal Act, the words “scheduled castes” shall be substituted with the words “scheduled castes and scheduled tribes”.

Substitution
of section 7.

8. For section 7 of the principal Act, the following section 7 shall be substituted, namely:—

“7. *Board of directors.*—(1) The Board shall consist of sixteen directors who shall be nominated by the State Government:

Provided that not less than two directors shall be nominated from amongst the officers serving the State Government in the Department of Welfare and the remaining shall be nominated from amongst the persons who have special knowledge of industries, handicrafts, animal husbandry, agriculture, agro-industries, water development projects, finance, co-operative and financial institutions:

Provided further that not less than two directors shall be non-officials belonging to the scheduled castes and at least one director shall be non-official belonging to the scheduled tribes.

(2) The State Government shall nominate any of the directors appointed under sub-section (1) to be the Chairman of the Corporation.

(3) On the occurrence of any vacancy in the office of the Chairman or a director due to death, resignation or otherwise, the same shall be filled up by the State Government in the manner provided in sub-section (1) or in sub-section (2), as the case may be.

(4) The Chairman shall perform such duties and exercise such powers as may be assigned to him or conferred upon him by the Board under sub-section (2) of section 15 of this Act.

(5) Subject to the provisions of this Act the conditions of appointment of the Chairman and the directors and the fees and allowances payable to them shall be such as may be prescribed.”

Substitution
of section 8.

9. For section 8 of the principal Act, the following section 8 shall be substituted, namely:—

“8. *Term of office.*—The Chairman and other directors shall hold office during the pleasure of the State Government.”

10. For section 11 and its heading the following section 11, along with its heading, shall be substituted, namely:—

Amendment
of section
11.

“11. *Resignation.*—A director may resign his office by giving notice thereof in writing to the State Government and on such resignation being accepted he shall be deemed to have vacated his office.”

11. In section 12 of the principal Act,—

Amendment
of section
12.

- (a) the words and sign “the vice-chairman, and in the absence of both” occurring in sub-section (2) shall be omitted; and
- (b) for the words and signs “the chairman, the vice-chairman or the person presiding, as the case may be,” occurring in sub-section (3), the words and signs “the Chairman, or in his absence the person presiding,” shall be substituted.

12. The words and sign “the vice-chairman,” occurring in sub-section (2) of section 15 of the principal Act shall be omitted.

Amendment
of section
15.

13. In section 16 of the principal Act,—

Amendment
of section
16.

- (a) after the words “scheduled castes” occurring in sub-section (1) and item (vi) of sub-section (2), the words “and the scheduled tribes” shall be inserted;
- (b) for the words “the member of scheduled castes” occurring in item (i) of sub-section (2), the words “the members of the scheduled castes or the scheduled tribes” shall be substituted; and
- (c) for the words “scheduled castes or scheduled castes organisations” occurring in items (iii), (iv), (vii) and (viii) of sub-section (2), the words “the scheduled castes and the scheduled tribes or the scheduled castes and the scheduled tribes organisations” shall be substituted.

14. After section 26 of the principal Act, the following new sections 26-A and 26-B, along with their headings, shall be inserted, namely:—

Insertion of
sections 26-
A and 26-B

“26-A. *Recovery of certain dues of banks as arrears of land revenue.*—

- (1) Where a bank, on an application sponsored by the Corporation has, under the tie up arrangements with the Corporation, advanced loan to a person and such person—
 - (i) makes any default in repayment of loan or advance including interest, or any instalment thereof; or
 - (ii) having become liable either under the conditions of the grant of loan or under section 25, makes any default in the refund or repayment of such loans or any portion thereof; or
 - (iii) otherwise fails to comply with the terms of the agreement;

then a bank or its authorised officer, by whatever name called, may send a certificate in the form given in the schedule to the Collector mentioning the sum due from such person and requesting that such sum, together with interest accrued upto the date of recovery along with the collection charges, be recovered as if it were an arrear of land revenue.

(2) A certificate sent under sub-section (1) shall be conclusive proof of the matter stated therein and the Collector on receiving such certificate shall proceed to recover the amount stated therein as an arrear of land revenue.

(3) Nothing in this section shall,—

(a) affect any interest of the State Government, a banking company, a corporation or a Government company in any property created by any mortgage, charge, pledge or other encumbrance; or

(b) bar a suit or affect any right or remedy against any person referred to in sub-section (1), in respect of a contract of indemnity or guarantee entered in relation to an agreement under this Act or the rules framed thereunder or in respect of any interest referred to in clause (a) of this sub-section.

26-B. *Collection charges.*—A bank availing the services of the Collector under section 26-A, shall pay collection charges to the Government at such rates as may from time to time be notified by the State Government in the Official Gazette.”

Amendment
of section
27.

15. For the words “the dues of the Corporation as determined under the preceding section of this Act” occurring in section 27 of the principal Act, the words, figures and alphabet “the dues of the Corporation as determined in section 26 and of the bank as determined in section 26-A” shall be substituted.

Insertion of
section 29-
A.

16. After section 29 of the principal Act, the following new section 29-A, along with its heading, shall be inserted, namely:—

“29-A. *Laying of the annual and audit reports before the State Legislative Assembly.*—The State Government shall, as soon as may be after the annual and audit reports in relation to the working of the Corporation are furnished to it by the Corporation under sub-section (4) of section 29, but within a period of nine months computed from the close of the financial year to which such reports pertain, cause the said annual and audit reports to be laid before the State Legislative Assembly.”

Amendment
of section
38.

17. For clause (a) of sub-section (2) of section 38 of the principal Act, the following clause (a) shall be substituted, namely:—

“(a) the conditions of the appointment of the Chairman and other directors and fees and allowances payable to them;”

Insertion of
schedule.

18. At the end of the principal Act, the following schedule shall be inserted, namely:—

“SCHEDULE

[See section 2 (kk) and section 26-A]

OFFICE OF THE MANAGER/MANAGING DIRECTOR.....

Certified—

- (1) that a sum of Rs..... has been granted to Shri/
Smt.....r/o..... Tehsil.....
District..... for.....;
- (2) that a further sum of Rs..... has become
recoverable from the said loanee by way of interest chargeable at
the rate of.....;
- (3) that the said Shri/Smt..... has/
have not refunded either the principal or the interest recoverable
from him/her and is reluctant to do so; and
- (4) that the total sum of Rs..... (Rupees.....
as principal and Rs..... as interest) has become
recoverable from him/her;

Now, therefore, it is requested that the said sum of Rs.....
..... (Rupees.....) along with the collection charges
may kindly be recovered as arrears of land revenue under section 26-A
of the Himachal Pradesh Scheduled Castes and Scheduled Tribes
Development Corporation Act, 1979.

Manager/Managing Director.
..... Bank."

To

The Collector,
..... District.

रजिस्टर्ड नं० पी०/एच०/एम० १८



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शुक्रवार, १८ मई, १९८४/२८ बैशाख, १९०६

हिमाचल प्रदेश सरकार

HIMACHAL PRADESH STATE LOTTERIES

"HIMALAYAN WEEKLY"

Result of 191st Draw held at Shimla on 15-5-1984

First Prize : (6) Rs. 1,00,000.00 each

HD
811715
307423

Second Prize : (3) Rs. 10,000.00 each

HD
640475

Third Prize (240) Rs. 500.00 each

28083 61367
76199 86304

(Two prizes in each series):

HB
618792
417345

(One prize in each series):

HB
762478

HG
306210
857899

HG
893024

(All the ticket numbers ending with
the last five digits in all series) :

10404 20999
30744 05760